

# **EXHIBIT A**

**From:** Seth Carson  
**Sent:** Wednesday, September 23, 2020 7:50:32 PM  
**To:** Walton, David  
**Cc:** John Angelone;Shane Herrmann;Jason Silva;Robert Centofanti;Tate, Joseph A.;Benson, Leigh Ann;Cavalier, Jonathan;Sidney Gold;Barnes III, Attison;Bill Rieser  
**Subject:** Re: Document Discovery in Barbounis Employment Case

**\*\*EXTERNAL SENDER\*\***

Yes. It was my idea. I confirm. Cornerstone can send you the discovery. I think I already sent Cornerstone an email to that effect.

I will get you whatever else you need too including written responses to Defendants' Document Requests.

I guess now that we are nearing the discovery deadline for McNulty and Barbounis we should just do all the deps together. This effects me more than you I think. Your client shows no indication that care about spending money, however, it will save a lot of time and money to knock them all out at once.

Do you want to schedule deps?

I have barely looked at the discovery from Cornerstone. So maybe we should ask for more time in light of 250,000 files and probably a million documents.

What do you think?

Seth D. Carson, Esquire  
Derek Smith Law Group, PLLC  
1835 Market Street  
Suite 2950  
Philadelphia, PA 19103  
Phone: 215.391.4790  
Facsimile: 215.893.5288  
Direct: 484.678.2210  
Email: Seth@DerekSmithLaw.com

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**From:** Walton, David <DWalton@cozen.com>  
**Sent:** Wednesday, September 23, 2020 7:24 PM  
**To:** Seth Carson <seth@dereksmithlaw.com>  
**Cc:** John Angelone <jangelone@cornerstonediscovery.com>; Shane Herrmann <sherrmann@cornerstonediscovery.com>; Jason Silva <jsilva@cornerstonediscovery.com>; Robert Centofanti <rcentofanti@cornerstonediscovery.com>; Tate, Joseph A. <JTate@cozen.com>; Benson, Leigh Ann <LBenson@cozen.com>; Cavalier, Jonathan <JCavalier@cozen.com>; Sidney Gold <sgold@discrimlaw.net>; Barnes III, Attison <ABarnes@wiley.law>; Bill Rieser <brieser@discrimlaw.net>  
**Subject:** Re: Document Discovery in Barbounis Employment Case

Seth

I am not saying its not enough. I'm reserving my right to say that because I have not seen the documents.

Will you please just confirm, by responding to this email, that Cornerstone can send me the documents?

Dave

Sent from my iPad

On Sep 23, 2020, at 5:20 PM, Seth Carson <seth@dereksmithlaw.com> wrote:



**\*\*EXTERNAL SENDER\*\***

Dave,

You are spazzing out about discovery being deficient before you review it. Again, I would suggest that you rfeview the information before arguiing that it is not enough.

Seth D. Carson, Esquire

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**From:** Walton, David <DWalton@cozen.com>  
**Sent:** Wednesday, September 23, 2020 5:15 PM  
**To:** Seth Carson <seth@dereksmithlaw.com>  
**Cc:** John Angelone <jangelone@cornerstonediscovery.com>; Shane Herrmann <sherrmann@cornerstonediscovery.com>; Jason Silva <jsilva@cornerstonediscovery.com>; Robert Centofanti <rcentofanti@cornerstonediscovery.com>; Tate, Joseph A. <JTate@cozen.com>; Benson, Leigh Ann <LBenson@cozen.com>; Cavalier, Jonathan <JCavalier@cozen.com>; Sidney Gold <sgold@discrimlaw.net>; Barnes III, Attison <ABarnes@wiley.law>; Bill Rieser <brieser@discrimlaw.net>  
**Subject:** Re: Document Discovery in Barbounis Employment Case

I cannot believe you sent this email.

I cannot review them because I don't have permission to review them as explained in my email below. You need to respond to my email by confirming that Cornerstone can share this information with me. What don't you understand about that?

Further, the volume of documents is irrelevant. If there are more documents that should be produced, we are going to demand their production. The issues, and hence the search terms, in the trade secret cases involve different issues. You cannot assume that 25 search terms for the trade secret case automatically satisfies your discovery obligations in the employment discrimination case.

Now, please confirm that Cornerstone can give us access to these documents.

Dave

Sent from my iPad

On Sep 23, 2020, at 5:04 PM, Seth Carson <seth@dereksmithlaw.com> wrote:



**\*\*EXTERNAL SENDER\*\***

Dave,

It's 250,000 files (not pages - files). Maybe you should review it before you argue that it does not satisfy the discovery requests.

Seth D. Carson, Esquire  
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**From:** Walton, David <DWalton@cozen.com>  
**Sent:** Wednesday, September 23, 2020 4:58 PM  
**To:** Seth Carson <seth@dereksmithlaw.com>  
**Cc:** John Angelone <jangelone@cornerstonediscovery.com>; Shane Herrmann <sherrmann@cornerstonediscovery.com>; Jason Silva <jsilva@cornerstonediscovery.com>; Robert Centofanti <rcentofanti@cornerstonediscovery.com>; Tate, Joseph A. <JTate@cozen.com>; Benson, Leigh Ann <LBenson@cozen.com>; Cavalier, Jonathan <JCavalier@cozen.com>; Sidney Gold <sgold@discrimlaw.net>; Barnes III, Attison <ABarnes@wiley.law>; Bill Rieser <brieser@discrimlaw.net>  
**Subject:** Document Discovery in Barbounis Employment Case

Seth –

Per our prior communications, you indicated that your document production for the Barbounis discrimination case will include the documents produced in the Barbounis trade-secret litigation that have been collected and searched by Cornerstone. **In order for Cornerstone to transfer these files to us, they need you to reply to this email indicating your authorization for them to proceed to send us these files directly.** To be clear, we are not asking for the entire images of the phones. Per your prior instructions, we are seeking the files that resulted from the 25 search terms in Judge Sanchez's order.

Further, we do not concede that this production will fully satisfy your client's discovery obligations. We also do not waive our right to seek additional document discovery from your client that would be responsive to MEF's outstanding document requests.

Dave



**David J. Walton**  
Shareholder  
**Cozen O'Connor**  
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